

Message Text

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ACTION EA-12

INFO OCT-01 ISO-00 HA-05 CIAE-00 DODE-00 PM-05 H-01
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TO SECSTATE WASHDC IMMEDIATE 7022
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AMEMBASSY BANGKOK
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AMEMBASSY KUALA LUMPUR
AMEMBASSY SINGAPORE

C O N F I D E N T I A L MANILA 09761

CINCPAC FOR POLAD

E.O. 11652: GDS
TAGS: PINT, SHUM, RP
SUBJECT: AMNESTY DECREED FOR 631 DETAINEES; ALLEGED OSMENA
- CO-PLOTTERS ORDERED RELEASED.

REF: (A) MANILA 9670, (B) MANILA 9755

1. SUMMARY: MARCOS HAS DECREED AMNESTY FOR 631 PERSONS
DETAINED FOR NATIONAL SECURITY AND OTHER CRIMES AND
ORDERED RELEASE OF ANTONIO NEPOMUCENO AND SEVEN OTHERS
ACCUSED OF PLOTTING THE ASSASSINATION OF THE PRESIDENT.
THESE MOVES FOLLOW LAST WEEK'S RELEASE OF AND DROPPING
OF CHARGES AGAINST THE APRIL 9 DEMONSTRATORS. UNDER NEW
DECREE PRESIDENT IS AUTHORIZED SANCTION LONGER PERIODS
OF DETENTION THAN IN PAST PRIOR TO DELIVERY OF SUSPECTS
TO JUDICIAL AUTHORITIES. END SUMMARY.

2. THREE MAJOR PAPERS JUNE 11 FRONT-PAGE REPORT THAT
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PRESIDENT MARCOS PREVIOUS DAY GRANTED AMNESTY TO 631
PERSONS DETAINED FOR CRIMES AGAINST NATIONAL SECURITY
AND PUBLIC ORDER, MURDER AND ILLYOL POSSESSION OF
FIREARMS. PRESS GIVES NAMES OF ONLY A SMALL NUMBER OF
THOSE COVERED BY AMNESTY DECREE.

3. IN ADDITION, ACCORDING TO PRESS, PRESIDENT HAS

ORDERED "TEMPORARY RELEASE" OF EIGHT PERSONS ACCUSED WITH SERGE OSMENA, JR. OF PLOTTING TO ASSASSINATE PRESIDENT SEVERAL YEARS AGO. FURTHER, THEIR TRIAL HAS BEEN ORDERED SUSPENDED BECAUSE OF THE ABSENCE OF THE PRINCIPAL ACCUSED, OSMENA JR. RELEASEES ARE LISTED AS: ANTONIO NEPOMUCENO, FAUSTINO SAMONTG, MANUEL DAEZ, MARCELO FERRER, MARCELO GALLARI MN ROMUALDO INDUCTIVO, RODOLFO MACASALABANG AND JUANITO SAMSON. THEY ARE BEING RELEASED "ON CONDITION THAT THEY SHALL NOT COMMIT ACTS WHICH SHALL BE PREJUDICIAL TO THE GOOD NAME OF THE REPUBLIC OF THE PHILIPPINES AND ITS OFFICES".
COMMENT: "TEMPORARY RELEASE" IS A MURKY TERM WHICH USUALLY CONNOTES SOME SORT OF PROBATIONARY ARRANGEMENT AND MAY HOLD OPEN POSSIBILITY OF RENEWED DETENTION AT SOME LATER DATE.

4. CONCURRENTLY, PRESS REPORTS THAT PRESIDENT HAS AUTHORIZED LONGER PERIODS FOR THE DETENTION OF PERSONS ACCUSED OF CRIMES AGAINST NATIONAL SECURITY AND PUBLIC ORDER BEFORE THEY ARE DELIVERED TO THE JUDICIAL AUTHORITIES. THIS STEP WAS REPORTEDLY PROMPTED BY THE INABILITY OF THE GOVERNMENT TO FILE WITHIN SHORTER PERIODS THE CRIMINAL INFORMATION AGAINST PERSONS ARRESTED. PRIOR TO THIS CHANGE THE GOVERNMENT WAS OBLIGED WITHIN 18 HOURS (FOR CRIMES PUNISHABLE BY CAPITAL PENALTIES) TO TURN OVER ACCUSED TO JUDICIAL AUTHORITIES. UNDER CONFIDENTIAL

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THE NEW DECREE (PD-1404) THE PRESIDENT CAN, IN THE INTEREST OF NATIONAL SECURITY AND PUBLIC ORDER, AUTHORIZE BY EXECUTIVE ORDER A PERIOD NOT EXCEEDING 30 DAYS, "OR FOR AS LONG AS THE CONSPIRACY TO COMMIT THE CRIME AGAINST NATIONAL SECURITY AND PUBLIC ORDER CONTINUES OR IS BEING IMPLEMENTED", FOR DELIVERY OF ARRESTED PERSONS.

5. COMMENT: THE RELEASE OF THE PRESIDENTIAL ASSASSINATION PLOT DETAINEES TOGETHER WITH 631 OTHER DETAINEES FOLLOW LAST WEEK'S DROPPING OF CHARGES AGAINST 606 APRIL 9 DEMONSTRATORS AND RELEASE OF FINAL SIX OF THAT GROUP. AS SOON AS FULL LISTING OF 631 IS AVAILABLE, WE WILL SEEK AN ANALYSIS FROM THE CHURCH TASK FORCE ON DETAINEES AS TO THE PROPORTIONS OF BONA FIDE POLITICAL PRISONERS AND COMMON CRIMINALS AFFECTED. FORMER SENATOR SALONGA HAS INDICATED TO US THAT THERE IS A SIGNIFICANT NUMBER OF POLITICAL PRISONERS ON THE LIST, INCLUDING EX-BEAUTY QUEEN NELIA SANCHO. THE AUTHORIZATION OF LONGER PERIODS OF DETENTION BEFORE DELIVERY TO JUDICIAL AUTHORITIES MAY BE A BOW TO MILITARY AND SECURITY OFFICIALS FOR THEIR CONCURRENCE IN THE RELEASES. MURPHY

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